

REMARKS

Claims 1-23 were presented for examination and were rejected under 35 U.S.C. §103(a) as being unpatentable over Slany et al. Among other reasons, the Examiner states that the specific ligand 1,3-bis(di-*t*-butylphosphino)propane is mentioned in the reference.

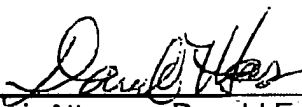
The Applicants assert that the amendment of the claims to limit the scope to the bidentate phosphine ligand 1,3-bis(di-*tert*-butylphosphinomethyl)benzene overcomes this rejection. As can be seen by comparing the results of Example 9 using this ligand with all of the other examples, Example 9 provides the highest selectivity to cyano esters and the highest linearity which means the highest mole percentage of 5-cyanovalerate ester relative to all cyano esters. It can be seen by looking at the last paragraph on page 17 which carries over to page 18 that it is highly desirable to achieve a high selectivity as described in Example 9 and also a high linearity in terms of maximizing the amount of 5-cyanovaleric acid or ester which is produced so that the desired product, ϵ -caprolactam, is produced in greater amounts.

For the reasons discussed above, the Applicants believe that the rejection has been overcome and respectfully request an early notice of allowance.

Respectfully submitted,

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SERIAL NO: 09/804,891

CASE NO: TS0982(US)

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RESPONSE W/COM

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